

HAYWARD PLLC
Melissa S. Hayward (Texas Bar No. 24044908)
Zachery Z. Annable (Texas Bar No. 24053075)
10501 N. Central Expy, Ste. 106
Dallas, Texas 75231
Telephone: (972) 755-7100
Facsimile: (972) 755-7110

Counsel for Highland Capital Management, L.P.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹
Reorganized Debtor

Plaintiff,

NEXPOINT ADVISORS, L.P., JAMES
DONDERO, NANCY DONDERO AND THE
DUGABOY INVESTMENT TRUST,

Defendants.

Plaintiff,

VS.

§ Chapter 11

§ Case No. 19-34054-sgj11

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§ Adversary Proceeding No.

§ 21-03005-sgj

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§ Adversary Proceeding No.

§ 21-03006-sgj

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¹ The Reorganized Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

HIGHLAND CAPITAL MANAGEMENT
SERVICES, INC., JAMES DONDERO, NANCY
DONDERO, AND THE DUGABOY
INVESTMENT TRUST,

Defendants.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

VS.

HCRE PARTNERS, LLC (N/K/A NEXPOINT REAL ESTATE PARTNERS, LLC), JAMES DONDERO, NANCY DONDERO, AND THE DUGABOY INVESTMENT TRUST,

Defendants.

Adversary Proceeding No.

21-03007-sgj

**DECLARATION OF JOHN A. MORRIS IN SUPPORT OF HIGHLAND’S OBJECTION
TO MOTION OF DEFENDANT NEXPOINT ADVISORS, L.P.
TO EXTEND EXPERT DISCLOSURE AND DISCOVERY DEADLINES**

I, John A. Morris, pursuant to 28 U.S.C. § 1746(a) and under penalty of perjury, declare as follows:

1. I am an attorney in the law firm of Pachulski, Stang, Ziehl & Jones LLP, counsel to the above-referenced Reorganized Debtor, and I submit this Declaration in support of *Highland's Objection to Motion of Defendant NexPoint Advisors, L.P. to Extend Expert Disclosure and Discovery Deadlines* (the "Objection") being filed concurrently with this Declaration. I submit this Declaration based on my personal knowledge and review of the documents listed below.

2. Attached as **Exhibit 1** is a true and correct copy of a 30-year term note on behalf of NexPoint Advisors, L.P. and in favor of Highland Capital Management, L.P. for an original principal amount of \$30,746,812.33, dated May 31, 2017.

3. Attached as **Exhibit 2** is a true and correct copy of a Demand Letter dated January 7, 2021.
4. Attached as **Exhibit 3** is a true and correct copy of the October 19, 2021 deposition transcript of Frank Waterhouse.
5. Attached as **Exhibit 4** is a true and correct copy of the October 29, 2021 deposition transcript of James Dondero.

Dated: December 1, 2021.

/s/ John A. Morris
John A. Morris